Appl. No. 10/767,601 Amdt. Dated July 2, 2009 Reply to office action of April 3, 2009

## REMARKS/ARGUMENTS

Re-examination and favorable reconsideration in light of the above amendments and the following comments are respectfully requested.

Claims 1 - 3, 5 - 12, 46, and 47 are pending in the application. Currently, claims 1 - 3 and 5 - 12 stand allowed, and claims 46 and 47 stand rejected.

By the present amendment, claims 46 and 47 have been cancelled without prejudice.

In the office action mailed April 3, 2009, claims 46 and 47 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,728,610. This is the sole rejection in the application.

The foregoing rejection is moot by virtue of the cancellation of claims 46 and 47.

Since there are only allowed claims remaining in the application, the instant application is believed to be in condition for allowance. Such allowance is respectfully solicited.

Should the Examiner believe an additional amendment is needed to place the case in condition for allowance, the Examiner is hereby invited to contact Applicant's attorney at the telephone number listed below.

No fee is believed to be due as a result of this response.

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If the Director determines that a fee is due, he is hereby authorized to charge said fee to Deposit Account No. 21-0279.

Respectfully submitted, DAVID C. LODA ET AL.

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